

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

JAY FRANCO & SONS, Inc.,)
Plaintiff,) Civil Action No. 1:08-cv-01313
v.) Consolidated with No. 1:08-cv-0058
CLEMENS FRANEK,) Judge Dow
Defendant.) JURY DEMAND
)

NOTICE OF MOTION

PLEASE TAKE NOTICE that on **Thursday, August 28, 2008 at 9:15 a.m.**, we shall appear before the Honorable Judge Dow, or any Judge sitting in his stead, in Room 1919 at Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago 60604 and present **Defendant's Motion for Leave to File Sur-Reply Brief**, herewith served upon you.

/s/ Mark D. Roth

PROOF OF SERVICE

I, Mark D. Roth, an attorney, certify that I served **Defendant's Motion for Leave to File Sur-Reply Brief** via ECF notification to counsels of record on August 20, 2008.

/s/ Mark D. Roth

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